

JAN 21 2022

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# A BILL FOR AN ACT

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RELATING TO SUNSCREENS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 342D-21, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "[-]§342D-21[+] Sale and distribution of sunscreen  
4 containing oxybenzone, avobenzone, octocrylene, or octinoxate[-  
5 ~~or both~~]; prohibition. (a) Beginning January 1, 2021, it shall  
6 be unlawful to sell, offer for sale, or distribute for sale in  
7 the State any sunscreen that contains oxybenzone or octinoxate,  
8 or both, without a prescription issued by a licensed healthcare  
9 provider.

10           (b) No county shall enact any ordinance or regulatory  
11 restriction to prohibit the sale, use, labeling, packaging,  
12 handling, distribution, or advertisement of sunscreens  
13 containing oxybenzone or octinoxate, or both, prior to  
14 January 1, 2021.

15           (c) Beginning January 1, 2024, it shall be unlawful to  
16 sell, offer for sale, or distribute for sale in the State any



1 sunscreen that contains avobenzone or octocrylene without a  
2 prescription issued by a licensed healthcare provider.

3 (d) No county shall enact any ordinance or regulatory  
4 restriction to prohibit the sale, use, labeling, packaging,  
5 handling, distribution, or advertisement of sunscreens  
6 containing avobenzone or octocrylene prior to January 1, 2024.

7 ~~[(e)]~~ (e) For purposes of this section:

8 "Licensed healthcare provider" means a physician or  
9 osteopathic physician licensed pursuant to chapter 453, or an  
10 advanced practice registered nurse licensed pursuant to chapter  
11 457.

12 "Octinoxate" refers to the chemical (RS)-2-Ethylhexyl (2E)-  
13 3-(4-methoxyphenyl)prop-2-enoate under the International Union  
14 of Pure and Applied Chemistry chemical nomenclature registry;  
15 that has a chemical abstract service registry number 5466-77-3;  
16 the synonyms of which include but are not limited to ethylhexyl  
17 methoxycinnamate, octyl methoxycinnamate, Eusolex 2292, Neo  
18 Heliopan AV, NSC 26466, Parsol MOX, Parsol MCX, and Uvinul MC80;  
19 and is intended to be used as protection against ultraviolet  
20 light radiation with a spectrum wavelength from 370 nanometers  
21 to 220 nanometers in a sunscreen.



1        "Oxybenzone" refers to the chemical (2-Hydroxy-4-  
2   methoxyphenyl)-phenylmethanone under the International Union of  
3   Pure and Applied Chemistry chemical nomenclature registry; that  
4   has a chemical abstract service registry number 131-57-7; the  
5   synonyms of which include but are not limited to benzophenone-3,  
6   Escalol 567, Eusolex 4360, KAHSCREEN BZ-3, Uvasorb MET/C,  
7   Syntase 62, UV 9, Uvinul 9, Uvinul M-40, Uvistat 24, USAF Cy-9,  
8   Uniphenone-3U, 4-methoxy-2-hydroxybenzophenone and Milestab 9;  
9   and is intended to be used as protection against ultraviolet  
10   light radiation with a spectrum wavelength from 370 nanometers  
11   to 220 nanometers in a sunscreen.

12        "Prescription" means an order for medication, that is  
13   dispensed to or for an ultimate user. "Prescription" shall not  
14   include an order for medication that is dispensed for immediate  
15   administration to the ultimate user, such as a chart order to  
16   dispense a drug to a bed patient for immediate administration in  
17   a hospital. "Prescription" includes an order for a sunscreen.

18        "Sunscreen" means a product marketed or intended for  
19   topical use to prevent sunburn. Sunscreen does not include  
20   products marketed or intended for use as a cosmetic, as defined  
21   in section 328-1, for the face."



1       SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3       SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *Jana Acasio*



# S.B. NO. 2850

**Report Title:**

Avobenzone; Octocrylene; Sunscreen; Prohibition

**Description:**

Prohibits the distribution and sale of sunscreens containing avobenzone and octocrylene beginning January 1, 2024.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

